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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Don W. Coker

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EXAMINER

SCARITO, JOHN D

ART UNIT

PAPER NUMBER

3696

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/611,605	<b>Applicant(s)</b> COKER, DON W.	
	<b>Examiner</b> John D. Scarito	<b>Art Unit</b> 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 12, 15, 17 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12, 15, 17 & 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/20/2009 has been entered.

The following is Examiner's response to Applicant's amendment received 04/20/2009 stemming from a Final Office Action dated 12/19/2008 and an Advisory Action dated 03/11/2009.

### ***Status of the Claims***

As per Applicant's response, Examiner acknowledges that Applicant amended Claims 1-4, 6, 10 & 15 and added new Claims 20-24. Here, Claims 5, 7, 8, 12 & 17 are previously presented, but are considered amended due to their dependence on an amended claim. Claims 9, 11, 13-14, 16 & 18-19 were previously cancelled. As such, Claims 1-8, 10, 12, 15, 17, & 20-24 are currently pending. Applicant's state that no new matter has been added and request reconsideration [Applicant's Response, page 6, lines 8-9].

## **Response to Remarks/Arguments**

### ***Minor Claim Objections***

Examiner withdraws his minor claim objections in the Office Action of 12/19/2008.

***Statutory Grounds of Rejection***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 112-1<sup>st</sup> & 2<sup>nd</sup> Paragraph***

Claims 1-3, 10 & 15 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Examiner withdraws his §112-1<sup>st</sup> Paragraph rejections in the Office Action of 12/19/2008 in view of Applicant's amendments (i.e. deletion of new matter "substantially" and "substantial")

Claims 1-5, 10, 12, 15 & 17 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claims 1-5, 15 & 17, Examiner withdraws his rejections in the Office Action of 12/19/2008 in view of Applicant's amendments.

As per Claim 10, Examiner maintains his rejection. Here, Applicant has completely failed to address a maintained rejection [see Office Action of 12/19/2008, page 6, line 20 & page 2, line 19 - page 3, line 7].

As per Claim 12, Examiner maintains his rejection because Applicant has completely failed to address a maintained rejection [see Office Action of 12/19/2008, page 6, line 21 & page 2, line 19 - page 3, line 7].

***Claim Rejections - 35 USC § 103***

Claims 1-8, 10, 12, 15 & 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Canfield [5,754,653] in view of Josephson et al [2003/0213841].

Applicant appears to argue his/her amended language of Claims 1, 3, 6, 10 & 15. [see Applicant's Response, page 6, lines 27-29 & page 7, lines 23-25]. As such, Applicant's arguments have been fully considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendments.

**Response to Amendments**

***Minor Claim Objections***

Claim 1 is objected to because of the following informalities:

1. As per Claim 1, Examiner suspects that Applicant intended the following amendment "dishonoring the check when the verifying ~~when the~~ information handwritten...".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112-1<sup>st</sup> & 2<sup>nd</sup> Paragraph***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8, 10, 12, 15, 17 & 20-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter

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which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per Claims 1, 3, 6, 10 & 15, Examiner was unable to find explicit support for "wherein the identifying information....is specified by the payor". Here, Applicant alleges support by reference to "figure 4 and paragraph [0022]". [Applicant's Response, page 7, line 4-5]. Although the Specification of record *uses line numbers in lieu of paragraph numbers*, Examiner looks to Applicant's Specification, page 4, line 30 - page 5, line 5 and Figure 4. In sum, Examiner is unable to take the interpretation that payor has control over or decides what comprises the "identifying information".

As per Claims 2, 4, 5, 7, 8, 12, 17 & 20-24, said Claims are rejected due to their dependence on a rejected claim.

Claims 1-8, 10, 12, 15, 17 & 20-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claims 1, 3, 6, 10 & 15, Examiner questions what "specified by the payor" means. For instance, this could mean (a) that payor has control over and/or decides what comprises 'identifying information' or (b) that payor actively provides the 'identifying information' (i.e. clarifying that said identifying information comes directly from the payor). In view of the 112-1st rejection above, Examiner will assume that latter interpretation for purposes of examination.

As per Claim 6, Examiner questions whether Applicant is claiming a “machine” or a “manufacture”. Here, Applicant states “apparatus” but only indicates one piece of structure (i.e. processing unit). In particular, a database is not structure (i.e. A database is an arrangement of data. What it is stored on is structure, i.e. memory device).

Essentially, Applicant is claiming a processing unit specifically configured to perform a method. Examiner will assume for purposes of examination that “processing unit” references a ‘computer processor’ [Figure 5].

As per Claim 10, Examiner points Applicant to his maintained rejection above. Further, Examiner questions how “the identifying information is specified by a payor of a second personal check” when and if the first personal check does not match the second personal check. (i.e. What if the second personal check is a fraudulent check). Examiner doubts that Applicant intended a potentially fraudulent payee to specify the identifying information of the first personal check. As such, in line with Applicant's other claims, Examiner suspects that Applicant intended “wherein the identifying information is specified by a payor of a second personal check, and wherein the identifying information is provided to the means for storing by the payor over a network”.

As per Claim 12, Examiner points Applicant to his maintained rejection above.

As per Claims 2, 4, 5, 7, 8, 17 & 20-24, said Claims are rejected due to their dependence on a rejected claim.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 2, 10, 12, 20 & 23 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter.

Here, the state of the law with respect to statutory subject matter eligibility under §101 is evolving. In view of *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir. 2008)(en banc, decided 10/30/2008), statutory process claims must involve either (1) a transformation of a particular article to a different state or thing or (2) be tied to a particular machine. If neither of these requirements is met, a method is not a patent eligible process under §101 and should be rejected as being directed to non-statutory subject matter. Here, with respect to "machine" the process claim should positively recite a machine [i.e. not merely (a) a nominal recitation in the claim preamble, (b) part of an intended use clause or (c) included in optional language, e.g. conditional statement] and said positively recited machine should entail more than merely indicating field of use or dealing with insignificant extra solution activities [i.e. machine should be tied to significant elements/limitations of Applicant's invention, e.g. merely ancillary steps of displaying data on a computer monitor or receiving data from an input device would generally be insufficient ties to a machine].

As per Claim 1, said process claim does not positively recite a particular machine. Here, Examiner was unable to find an express definition for "network" in Applicant's Specification, thus a network, under a broadest reasonable interpretation, could include a group of people using their mental capacities. Further, Applicant does not adequately tie a significant element/limitation to a machine in the body of his/her process claim. Here,



Examiner finds "storing" data in a database on "a memory device" as a tie to an insignificant extra solution activity. Applicant should consider what structure performing a limitation more significant to Applicant's invention (i.e. "honoring step" which actually uses received and stored data to achieve the result of the invention).

As per Claims 2 & 20, said Claims are rejected since they fail to correct the deficiency of Claim 1 above.

As per Claim 10, under a broadest reasonable interpretation, each "means for" could be interpreted as software. [see Applicant's Specification, page 5, lines 21-22, "software program implementing an embodiment of the invention may run as a stand-alone program or as a software module"]. As such, an interpretation exists that Applicant is attempting to claim a system comprising solely computer programs, or an aggregate computer program which is not recorded on a computer-readable medium. Per the MPEP 2106.01, computer programs are only statutory when recorded on a computer readable medium.

As per Claims 12 & 23, said Claims are rejected since they fail to correct the deficiency of Claim 10 above.

***Claim Rejections - 35 USC § 103***

Claims 1-8, 10, 12, 15, 17 & 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page [6,464,134] in view of Josephson et al [2003/0213841].

As per Claim 1, Page ('134) teaches [a] method of preventing financial fraud concerning a check [column 2, lines 23-24, "designed and structured to protect...payors against check fraud"] as follows:

**First**, Page ('134) teaches receiving, directly from a payor, identifying information concerning the check over a network wherein the identifying information concerning the check is specified by the payor; [column 4, lines 5-6, "the first set of data is communicated by any applicable means to a processing center" & column 7, lines 48-59, "communication between the processing center and the issuing terminal...may take place by conventional communication facilities...telephone line communication...network communication" & column 4, lines 2-4, The first set of data comprises payor entered account data and individualized payee data. & column 3, lines 32-37, "along with the account data (i.e. pre-printed account data, e.g. account number, check number, bank routing number, etc.) individualized payee data (i.e. "the payee identification and value of the check, as intended and as originally printed on the bank check by the [] payor", {column 2, lines 47-50}) is entered into the issuing terminal"].

**Next**, Page ('134) does not explicitly disclose storing the identifying information into a financial instrument database on a memory device; Regardless, Page ('134) evidences it as known for computational facilities to comprise a "processor and memory/storage capabilities" [column 6, line 47]. In this vein, Page ('134) discloses that its "processing center

includes sufficient processing and computer facilities to accomplish at least initial or temporary storage of the first set of data" [column 4, lines 7-10]. In this vein, Josephson ('841) teaches a method where "payee identification information is printed onto the negotiable instrument *and* maintained in a computerized database" [Abstract, emphasis added]. In particular, "identification information contained within the database is recalled and compared to the identification information contained on the printed negotiable instrument to ensure conformity" [Id.]. Here, Josephson's ('841) discloses that its "computer controlled terminal" comprises "sufficient intermediate memory capacity for storage...to operate as a stand alone device" [paragraph 44]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include such further limitations. One of skill in the art would appreciate the storage of information in a database on a memory device. Here, Josephson ('841) suggests that "databases can be...maintained...among numerous and independent locations" [paragraph 32].

**Next** Page ('134) teaches honoring the check when if verifying information...matches the identifying information stored in the financial instrument database. [see Abstract, "[u]pon presentation of the check...a second set of data [is established] based on the pre-printed account data and the individualized payee data that appears on the face of the check presented", i.e. verifying information, and "the first and second sets of data are compared to assure that at least the payee identification and the value of the check are identical to the same information printed on the check at the issuing site [and u]pon a positive comparison...payment of the check [is authorized]", i.e. checked honored if the second set of data matches the first set

of data. & column 4, lines 60-61, "redeem the check...allowing its deposit or exchanging it for cash].

**Lastly**, Page ('134) does not explicitly disclose verifying information [as] handwritten on the check by the payor. Regardless, Page ('134) acknowledges that in establishing the second set of data, "at least a portion of the individualized payee data would [] be entered [] manually through the use of a keyboard" [column 4, lines 27-29]. Here, this would occur "in circumstances where such payee data was not automatically printed in typical fashion, such as by computer facility or the like and a link...[to an] accounting computer is not possible" [column 7, lines 13-16]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include such further limitations. Here, completely handwritten checks/drafts are known in the art [i.e. UCC, Article 3]. As evidenced by Page ('134) optional computer printed checks/drafts by a payor known in the art [column 6, lines 46-66]. In this vein, Applicant is merely substituting older technology (i.e. payor handwritten check) for newer technology (i.e. payor computer printed check) and the results of the substitution is predictable (i.e. legitimate check is presented for payment). Examiner notes that Applicant did not contest similar previous arguments [see Office Action of 12/19/2008, page 8, line 21 - page 9, line 3]. Here, Page ('134) specifically accommodates handwritten checks through its optional manual keying of the second set of data.

As per Claim 2, Page ('134) as modified teaches the method of Claim 1 above.

**Further**, Page ('134) teaches dishonoring the check verifying when the information handwritten on the check differs from the identifying information stored in the financial instrument database. [column 1,

lines 12-16, "...detection of any differences between the first and second sets of data will result in a non-verification" & column 4, lines 59-63, "...non-verification [] would prevent authorized redemption of the presented check"].

As per Claim 3, Page ('134) does not explicitly disclose a system comprising a financial instrument database stored on a memory device and a server configured to [perform the substantially similar method of Claim 1 above]. Regardless, Examiner points Applicant to the logic and evidence as discussed in Claim 1 above regarding limitations not explicitly discussed herein. Here, as modified by Josephson ('841), a financial instrument database stored on a memory device is rendered an obvious variant of Page ('134). Further, Page ('134) specifically teaches the use of a "processing center which may be integral with or remote from the issuing and/or cashing terminals" comprising a "computer oriented... central processing unit...specifically but not exclusively for purposes of comparing various sets of data" [column 7, lines 24-31, i.e. computer can "serve" client and cashing terminals]. Lastly, receipt of the second set of data (i.e. verifying information) via the cashing terminal [see column 4, lines 23-32] is from a "source distinct from the payor". As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include such further limitations. One would have done so given Page ('134) specifically suggests that its "processing center" CPU is "programmed" [column 9, lines 61-62] and that use of such a system would "easily, quickly, and efficiently accomplish verification of the authenticity of checks at the time the check is presented for payment or deposit" [column 2, lines 41-43].

As per Claim 4, Page ('134) as modified teaches the system of Claim 3 above.

**However**, Page ('134) does not explicitly disclose the payor handwrote the verifying information on the personal check. Regardless, in line with Claim 1 above, a payor handwriting check information versus computer printing check information would be an obvious variant. Further, Applicant did not previously contest that such "positive pay systems" utilize the "drawer as the source of verification" [see Office Action of 12/19/2008, page 11, lines 19-21, i.e. drawer is a payor].

As per Claim 5, Page ('134) as modified teaches the system of Claim 4 above.

**Further**, Page ('134) teaches the source comprises the personal check presented to a financial institution for payment. [column 4, lines 20-32, "cashing terminal personnel" enter the "second set of data" which "appears on the face of the check being presented for redemption." & column 4, lines 13-15, "cashing terminals...located at...banks"].

As per Claim 6, Page ('134) does not explicitly disclose an apparatus comprising a financial instrument database and a processing unit coupled to the financial instrument database and configured to perform the substantially similar method of Claim 3 above]. Here, Examiner points Applicant to the logic and evidence as discussed with respect to said substantially similar limitations in Claim 3 above. Similar to above, Page ('134) would desire such an apparatus to gain the efficiencies of computer systems.

As per Claim 7, Page ('134) as modified teaches the apparatus of Claim 6 above.

**Further**, Page ('134) teaches the apparatus as a stand-alone system. [column 7, lines 24-25, "processing center...may be integral with the issuing and [] cashing terminals", i.e. integrated terminal]. Alternatively, Josephson ('841) teaches its negotiable instrument authentication and identification system operating as "a stand alone device" [paragraph

44]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include the apparatus as optionally a stand alone system. Previously uncontested by Applicant, one would have done so to avoid having to download necessary data [see Josephson ('841), paragraph 44] to enable quick transactions and the reduction of non-sufficient funds risk. [see Office Action of 12/19/2008, page 12, lines 19-22].

As per Claim 8, Page ('134) as modified teaches the apparatus of Claim 6 above.

**Further**, Page ('134) teaches the apparatus as comprising a server connected to a telecommunications network. Here, Examiner points Applicant to the logic and evidence of Claim 3 above regarding a "server". Further, Page ('134) teaches "communication [via] telephone line communication...[and] network communication" [column 7, lines 48-59].

As per Claim 10, Examiner points Applicant to the logic and evidence discussed with respect to said substantially similar limitations in Claim 6 above. Note: Examiner takes the interpretation as discussed in his 112-2nd paragraph rejection above (i.e. language intended to mimic Applicant's other claims). In this vein, a database as discussed above is a "means for storing..." and a computer/processing unit/server is a "means for comparing...". Lastly, with respect to "means for paying..." Page ('134) discloses integration of its issuing terminal, which can be integrated with the "processing center" [column 7, lines 24-25] with an "accounting computer" [column 6, line 51]. Here, accounting adjustments would be made when it is determined to "allow[] the deposit" [column 4, line 61]. As further support, Applicant did not contest that "electronic

payment via computer/server would be appreciated in the art" [see Office Action of 12/19/2008, page 14, line 16, i.e. computer as a "means for paying..."].

As per Claim 12, Page ('134) as modified teaches the apparatus of Claim 10 above.

**Further**, Page ('134) teaches a means for accessing the identifying information stored in the database through a server connected to a global network. [column 7, lines 26-28, "processing unit [] having the ability to receive data]. Alternatively, Josephson ('841) teaches the use of a "computer [] terminal" with "network connectivity" [paragraph 44]. Further, Josephson ('841) teaches that information may be on "a central client server" [paragraph 54] and that its terminals may download said information [see paragraph 53, Here, Examiner asserted, uncontested by Applicant, that network connectivity via intranet/Internet is known and would be appreciated in view of the language "network connectivity" and "download" as used in Josephson ('841). See also, Josephson ('841), paragraph 53, "both an off-line and on-line modes"]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include its computer as capable of accessing information stored in the database through a server connected to a global network. Josephson ('841) evidences the use of such tools (networks, servers, databases) in the check verification art and Page ('134) would desire such tools to make its process more automated (i.e. use of computers in lieu of manual file verification), efficient (i.e. all terminals not attempting to access the same database) and secure (i.e. avoid all information being housed in one place).

As per Claims 15 & 17, Page ('134) does not explicitly disclose a computer-readable medium having instructions stored thereon, that when executed by at least one device results in [a method



substantially similar to Claims 10 & 12 respectively]. Regardless, Josephson ('841) discloses a "stand alone device" with "the necessary programs to allow the terminal to operate" [paragraph 44, i.e. Uncontested by Applicant, such programs would be stored on some form of computer readable medium]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Page ('134) to include a computer-readable medium with program instructions recorded thereon to perform the methods of the apparatus as discussed in Claims 10 & 12 above. One would have done so given, uncontested by Applicant, the widespread use of computer-readable mediums in computers and the apparent ability to easily transfer programs via computer readable medium. Further, Page ('134) would desire a computer readable medium to realize the functionalities of computer instructions by a computer. Examiner points Applicant to Claims 10 & 12 respectively above for citations regarding such methods. As per Claims 20-24, Page ('134) as modified teaches the method/system/apparatus/ computer readable medium of Claims 1, 3, 6, 10 & 15 above. Further, Page ('134) teaches the identifying information includes....an amount of the check a payee name **or** a date the check was written. [column 3, lines 63-67, "Whether automatically or manually entered into the issuing terminal, the individualized payee data preferably includes the identity of the payee as well as the dollar amount or intended value of the bank check."].

### **Prior Art**

The following prior art, made of record but not relied upon, is considered pertinent to applicant's disclosure: Volgunin [2003/0172030].

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Scarito whose telephone number is (571) 270-3448. The examiner can normally be reached on M-Th (7:30-5:00), Alternate F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John D. Scarito/  
Examiner, Art Unit 3696

/THOMAS A DIXON/  
Supervisory Patent Examiner, Art Unit 3696